

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HAYAT SINDI,)	
)	
Plaintiff,)	
)	No.:
v.)	
)	
SAMIA EL-MOSLIMANY and)	
ANN EL-MOSLIMANY,)	
)	
Defendants.)	
)	

**NOTICE OF REMOVAL BY THE DEFENDANTS,
SAMIA EL-MOSLIMANY AND ANN EL-MOSLIMANY**

To: Judges of the United States District Court for the District of Massachusetts:

The defendants, Samia El-Moslimany and Ann El-Moslimany, by their undersigned attorneys, hereby gives notice of their removal of this action, pursuant to 28 U.S.C. §§ 1331, 1332, 1441 & 1446, to the United States District Court for the District of Massachusetts. As grounds for removal, Defendants state as follows:

NATURE OF THE ACTION

1. The plaintiff, Hayat Sindi, filed the initial complaint in this action on January 25, 2013 in the Superior Court for the Commonwealth of Massachusetts, Suffolk County.
2. Defendant Samia El-Moslimany has not yet been was served with the Summons and Complaint.
3. Defendant Ann El-Moslimany has not yet been served with the Summons and Complaint.
4. As alleged in the Complaint, Plaintiff seeks substantial money damages from Defendants claimed knowing, intentional, and malicious campaign of defamation. (Compl. ¶ 1.)
5. Plaintiffs assert claims against Defendants for “Defamation, Libel, and Slander” (*id.*, Count I), “Tortious Interference with Contractual Relationships” (*id.*, Count II), “Tortious

Interference with Prospective Business Relationships” (*id.*, Count III), “Intentional Infliction of Emotional Distress” (*id.*, Count IV), and “Permanent Injunction” (*id.*, Count V).

AMOUNT IN CONTROVERSY

6. It is apparent from the face of the Complaint and attachments thereto that the amount in controversy, exclusive of interest and costs, in this action presently exceeds \$75,000.

7. Plaintiff alleges that her damages total \$10,000,000.00. In addition, Plaintiff seeks “her reasonable attorney’s fees and costs”. (*Id.* Prayer for Relief and Jury Demand).¹

PARTIES AND DIVERSITY OF CITIZENSHIP

8. As alleged in the Complaint, at the time this action was filed and at all times since, Plaintiff was and is a resident of the Commonwealth of Massachusetts. (Compl. ¶ 2.)

9. As alleged in the Complaint, at the time this lawsuit was filed and at all times since, both defendant were and are residents of the state of Washington. (*See id.* ¶¶ 3 and 4.)

10. Accordingly, there exists complete diversity of citizenship between Plaintiffs and State Farm pursuant to 28 U.S.C. § 1332.

REMOVAL PROCEDURES

11. Defendants Samia El-Moslimany and Ann El-Moslimany have not yet been served with the Summons and Complaint. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely filed within 30 days of first service on Defendants of the Plaintiff’s Complaint. There is no prohibition on filing a Notice of Removal before service of process has been made.

12. Pursuant to Local Rule 81.1(a), Defendants shall request of the Clerk of the Superior Court Department of the Trial Court of the Commonwealth of Massachusetts in and for the County of Suffolk certified or attested copies of all records, proceedings and docket entries

¹ Defendants do not concede that the Plaintiff would be entitled to any of the relief sought in the Complaint. Nor do they agree that the underlying claims upon which Plaintiff’s causes of action are based may be appropriately asserted in this action.

therein and shall file same with the Court within twenty-eight (28) days after filing this Notice of Removal.

13. A copy of this Notice of Removal is being filed with the clerk of the Superior Court for the Commonwealth of Massachusetts, Suffolk County, as provided by law. Written notice of removal is also being given to Plaintiff.

14. Defendants reserve the right to amend or supplement this Notice of Removal.

15. If any question arises as to the propriety of the removal of this action, Defendants request the opportunity to present a brief and request oral argument in support of removal.

Dated: April 8, 2013.

THE DEFENDANTS,
SAMIA EL-MOSLIMANY and
ANN EL-MOSLIMANY,
By their attorneys,
MORRISON MAHONEY LLP

/s/ George R. White
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CERTIFICATE OF SERVICE

I hereby certify that, this 8th day of April, 2013, I have electronically filed a copy of the above and foregoing with Clerk of the Court using the ECF system which sent notification of such filing to counsel of record.

/s/ George R. White
George R. White, BBO No. 645752